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JCWSCS 0 4 MAR 2004

PATENT

Agent's Docket No. 15802-US

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of)

ZYWICKI, Eugene E.)

Serial No: 10/698,491)

Filed: 03-November-2003)

Art Unit:

Examiner:

For: LIQUID DISPENSING DEVICE

February 16, 2004

Commissioner of Patents and Trademarks
U.S. Patent and Trademark Office
Box 17
Washington, DC 20231

Attn: Customer Service Center

Sir:

This is in reply to the Notice mailed January 12, 2004 regarding the alleged return of our check.
A copy of the Notice is attached for reference.

We understand that this matter has been resolved with our Accounts Department. Our checks were not returned by the bank. The problem apparently arose because our checks, although payable in U.S. funds through the Manhattan Bronx and Brooklyn Collection Arrangement at the Royal Bank of Canada, New York Branch, was apparently not coded for automatic processing in the United States.

We have been using the same checks for many years, and it now appears, unknown to us, that in previous instances the local bank would manually enter a code on the check to enable it to be processed through the automatic system. In the case of this check, it was apparently not automatically processed and therefore returned to the originating bank, the Royal Bank, which immediately remitted the funds. The funds were therefore available in the USPTO bank account, but apparently not directly traceable to this transaction.

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We understand that this matter has been resolved, that the checks have been traced, that payment has been received, and that this has been confirmed by Mr. Thao, Ton, Finance Department (703-305-4232) and Mr. Frank Lebron, (703-305-4231).

We have been advised that in fact in view of the receipt of the funds, the files will not be effected and that no further action is required.

We would also point out, that all payments were accompanied by authorization to charge our Deposit Account No. 13-1717 in the event of any deficiency.

In the light of the confirmation by the USPTO that the funds have been traced, and that the files will be uneffected, we do not propose to take any further action at this time.

We have taken up the matter of automatic coding with the originating bank in Canada, and in future all our checks will bear the necessary code to permit automatic, rather than manual, processing in the U.S. banking system.

Respectfully submitted,



Richard J. Mitchell
Registration No. 34,519
Agent of Record

MARKS & CLERK
P. O. Box 957, Station B,
Ottawa, Ontario Canada K1P 5S7
(613) 236-9561



UNITED STATES PATENT AND TRADEMARK OFFICE

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January 12, 2004

Marks & Clerk
Patent & Trademark Agents
P.O. Box 957 Station B
Ottawa, Ontario K1P 5S7

Re: 60/698491

The purpose of this communication is to inform you that check number 140 dated October 31, 2003, for the \$40.00 assignment fee, has been returned by the bank. It was unpaid.

The practice of the Office is to treat such returned checks as though the fee for which they were intended was never received. Therefore, the applicant is required to submit the following fee(s):

<u>X</u>	\$40.00 assignment fee
<u>X</u>	\$ 00.00 surcharge for a late filing fee
<u>X</u>	\$50.00 fee for processing a returned check

A SHORTENED STATUTORY PERIOD FOR RESPONSE TO THE REQUIREMENTS OF THIS NOTICE IS SET TO EXPIRE **TWO MONTHS** OR SIXTY DAYS WHICHEVER IS LONGER, FROM THE DATE OF THIS NOTICE.

FAILURE TO RESPOND WITHIN THIS PERIOD WILL RESULT IN THE APPLICATION BECOMING ABANDONED. 35 USC 133.

The filing receipt will not be mailed out until all fees are paid. If the filing receipt has already been mailed out, it is void if all the fees are not paid in a timely manner.

JAN 23 2004

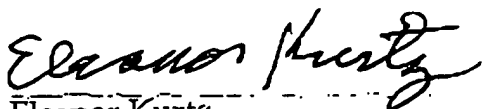
Further correspondence with respect to this matter should include a copy of this notice and be addressed to the following:

Commissioner of Patents and Trademarks
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Washington, DC 20231

or sent by FAX to:

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Attn: Customer Service Center

Telephone inquiries should be directed to the Office of Initial Patent Examination, Customer Service Center at (703) 308-1202.



Eleanor Kurtz

Office of Initial Patent Examination